GOVERNMENT OF INDIA
HOME AFFAIRS
LOK SABHA

UNSTARRED QUESTION NO:3367
ANSWERED ON:11.12.2001
REPRESENTATION TO SCS/STS
RATTAN LAL KATARIA

Will the Minister of HOME AFFAIRS be pleased to state:

(a) the population of Scheduled Castes and Scheduled Tribes and other Communities in 1951 and their percentage to total population;

(b) whether it is a fact that population of SCs and STs at present is higher than reservations provided for various purposes;

(c) if so, whether the Government propose to provide higher representation in Parliament, State Assemblies, Panchayats and services in proportion to their population; and

(d) if so, the time by which it is likely to be implemented and if not, the reasons therefor ?

Answer

THE MINISTER OF STATE IN THE MINISTRY OF HOME AFFAIRS (I.D. SWAMI)

(a) to (d): A statement is laid on the Table of the House.

Statement referred to in reply to parts (a) to (d) of Lok Sabha Unstarred Question No. 3367 due for answer on 11.12.2001

(a): The details of population of Scheduled Castes, Scheduled Tribes and other communities (Non-SC/ST) and their percentage to total population as per the 1951 Census are given below:

	Population	Percentage
Total:	356,879,394	100.00
Scheduled Castes:	51,343,898	14.39
Scheduled Tribes	19,116,498	5.36
Other communities (Non-SC/ST):	286,418,998	80.25

Note: These figures are exclusive of the people living in Jammu and Kashmir State andpart of part B Tribal Areas of Assam where the 1951 Census was not taken.

(b) to (d): As per 1991 Census of India the percentage of Scheduled Castes and Scheduled Tribes in the country, excluding Jammu and Kashmir, was 16.48 and 8.08 respectively. Percentage of reservation for SCs and STs in services under the Central Government in case of direct recruitment on all India basis by open competition is 15%, and 7.5% respectively. In case of direct recruitment on all India basis otherwise than by open competition reservation for SCs and STs is respectively 16.66%, and 7.5%.In case of direct recruitment to Group C and D posts which normally attract candidates from a locality or a region, percentage of reservation for SCs and STs is generally fixed in proportion to the population of SCs and STs in the respective States/ UTs.In case of promotion, 15% posts are reserved for SCs and 7.5% for STs, provided the element of direct recruitment, if any, does not exceed 75%.

It is stated that reservation for Scheduled Castes, Scheduled Tribes and OBCs in services under the Government of India is already 49.5% and 50% in case of direct recruitment on all India basis by open competition and on all India basis otherwise than by open competition respectively. Under the circumstances revising the percentage of reservation for Scheduled Castes and Scheduled Tribes as per their population, is neither contemplated under Article 16(4) of the Constitution nor feasible, as such revision would make the total reservation for SCs/ STs and OBCs in excess of 50%.

Constitution (Ninety-first Amendment) Bill, 2000 was introduced in the Lok Sabha on 27.11.2000, Seeking to extend the existing constitutional embargo on undertaking fresh delimitation of electoral constituencies upto the year 2026 AD and simultaneously to undertake readjustment and rationalization of constituencies in the States, without altering the number of seats allotted to each State in the House of the People and Legislative Assemblies of the States,including the Scheduled Caste and the Scheduled Tribe constituencies, on the basis of the population ascertained at the census for the year 1991 as also to refix the number of seats reserved for the Scheduled Castes and the Scheduled Tribes in the House of the People and Legislative Assemblies of the States on the basis of the population ascertained at the census for the year 1991, was passed by the Lok Sabha on 21.8.2001 and by the Rajya Sabha on 23.8.2001. The said Bill is now in the process of being ratified by the State Legislatures before receiving the assent of the President under the provisions of the article 368 of the Constitution. Pursuant to its enactment the Government will further bring a legislation which will provide for setting up of an authority to carry out the purposes of the aforesaid Constitution Amendment Bill.

As regards reservation of seats in the Panchayats, the same is governed by Article 243 D of the Constitution of India.